

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

1. Date, Time, and Place of Sale.

Date: April 07, 2020

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: LOBBY, GALVESTON COUNTY COURTHOUSE, 722 MOODY (21ST ST.), 1ST FLOOR, OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated August 14, 2008 and recorded in Document CLERK'S FILE NO. 2008050886 real property records of GALVESTON County, Texas, with HERMAN D SHORTER, grantor(s) and WELLS FARGO BANK, N.A., mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by HERMAN D SHORTER, securing the payment of the indebtednesses in the original principal amount of \$159,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to Be Sold. The property to be sold is described in the attached Exhibit A.

6. Mortgage Servicer Information. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. CHAMPION MORTGAGE COMPANY, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o CHAMPION MORTGAGE COMPANY
8950 CYPRESS WATERS BLVD.
COPPELL, TX 75019



THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead PATRICIA POSTON, NICK POSTON, DAVID POSTON, ANNA SEWART, KEITH WOLFHOHL, DAVID BARRY, BYRON SEWART, HELEN HENDERSON OR MELISSA KITCHEN whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.

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Certificate of Posting

My name is Patrum Poston, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 3-16-2020 I filed at the office of the GALVESTON County Clerk and caused to be posted at the GALVESTON County courthouse this notice of sale.

Patrum Post
Declarants Name: Patrum Poston
Date: 3-16-2020

3329 AVENUE O
GALVESTON, TX 77550

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00000007408370

GALVESTON

EXHIBIT "A"

LOT "O" IN THE NORTHEAST ONE-HALF (1/2) OF OUTLOT SIXTY-TWO (62), IN THE CITY AND COUNTY OF GALVESTON, TEXAS ACCORDING TO MAP ATTACHED TO AND BEING A PART OF THAT CERTAIN PARTITION AGREEMENT OF RECORD IN VOLUME 228, PAGE 607, IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS.

2. Under Tex. Const. art. XVI, § 50(k)(6)(A), the death of Herman D. Shorter qualified as a default event which required the payment of all principal and interest owed under the Loan Agreement. The necessary conditions precedent for plaintiff to exercise its rights under the security interest by proceeding with a non-judicial foreclosure against the Property have been accomplished. The Trustee or Substitute Trustee, appointed to conduct the sale under Tex. Prop. Code § 51.002 is SALLY LEIDAL, STEVE LEVA, or JEFF LEVA, or their successor.

3. No personal liability is sought against the defendants as they are not obligated for the Loan Agreement debt and the Loan Agreement was made pursuant to Tex. Const. art. XVI, § 50a(7).

IT IS THEREFORE ORDERED Plaintiff has a valid lien on the Property by way of a security instrument dated August 14, 2008 and filed as Instrument No. 2008050886 in the Official Public Records of Galveston County, Texas.

IT IS FURTHER ORDERED that all of Herman D. Shorter's ("Decedent") heirs-at-law have been made defendants to this suit and were immediately vested with all of Decedent's right, title and interest in the Property.

IT IS FURTHER ORDERED that Plaintiff, or its successors or assigns in interest, according to TEX. CONST. art. XVI, § 50(k)(11) shall enforce the Loan Agreement default by foreclosing the security interest encumbering the Property pursuant to the Loan Agreement or TEX. PROP. CODE § 51.002.

IT IS FURTHER ORDERED that this Judgment serves as an Order of Foreclosure of a Reverse Mortgage Loan in accordance with TEX. CONST. ART. XVI §§ 50(a)(7) and (k)(11);

IT IS FURTHER ORDERED that a copy of this Judgment shall be sent to Defendant(s) with the notice of the date, time and place of the foreclosure sale;

IT IS FURTHER ORDERED if a person occupying the Property fails to surrender the possession of the premises after foreclosure, plaintiff, or its successor in interest, shall be entitled to a Writ of Possession issued in accordance with Tex. R. Civ. P. 310;

IT IS FURTHER ORDERED that as part of the costs of court payable by plaintiff, attorney ad litem George A. Oggero is awarded the sum of \$ 1000.⁰⁰ and discharged as ad litem in this cause.

IT IS FURTHER ORDERED All costs of court are to be paid by the party incurring same.

IT IS FURTHER ORDERED that this judgment disposes all parties and all claims and is final and appealable.

SIGNED this 17 day of December, 2019.



PRESIDING JUDGE

FILED

Instrument Number: *FILED2020000398*

Filing Fee: 23.00

Number Of Pages:7

Filing Date: 03/16/2020 9:26AM

I hereby certify that this instrument was FILED on the date and time stamped hereon
and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in black ink that reads "Dwight D. Sullivan". The signature is written in a cursive style with a horizontal line underneath it.

Dwight D. Sullivan, County Clerk
Galveston County, Texas

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*